

SEP 12 2005

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FAX:	571.273.8300	REF. NO.:	US-109
VOICE:		PAGES	3 (incl. this sheet)
App. No.:	10/784,896	DATE:	September 12, 2005

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- 1) This Facsimile Cover Sheet (1 pg)
- 2) Second Request for PTO-892 and Restart of Statutory Period (1 pg)
- 3) Copy of confirmation receipt of April 5, 2005 facsimile filing of initial request (1 pg)


 Shelly Guest Cermak
 Registration Number 39,571

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SEP 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hirano et al.

Application No.: 10/784,986

Filing Date: February 25, 2004

For: Novel lysine decarboxylase gene and
method for producing L-lysine

Art Unit: 1652

Examiner: Gebreysus, Kagnew H.

Attorney Ref. No.: US-109

VIA FACSIMILE TO: 571-273-8300**SECOND REQUEST FOR PTO-892 AND RESTART OF STATUTORY PERIOD**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicants acknowledge receipt of an office action dated 31 March 2005 in the above-captioned patent application. The office action is incomplete since a copy of the reference cited on page 8, paragraph 4 of the office action (Sabo et al. Biochemistry 13:670-676 (1974)) was not provided, nor was a PTO-892 provided. This reference is not a U.S. Patent, nor a U.S. Patent Application Publication, so a copy is required to be provided to applicants.

Applicants' representative hereby makes a second request for a copy of the cited reference, a proper PTO-892, and that the statutory period for responding to the office action be re-started. A conformation receipt of the filing of the initial request, filed 5 April 2005, is also enclosed.

Respectfully submitted,

U.S.P.T.O. Customer No. 38108
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 515 E. Braddock Road, Suite B
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By: 
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Date: September 12, 2005

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TO:	Examiner: K. Cebrenns	FROM:	SHELLY GLEST CERMAK
FAX:	701-872-9306	REF. NO.:	109
VOICER:		PAGES:	2 (incl. this sheet)
App. No.:	10/784,896	DATE:	April 5, 2005

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